

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

DARTH NEWMAN,

Civil Action No. 2:20-cv-01973-RJC

Plaintiff,

v.

Honorable Robert J. Colville

**POLLOCK COHEN, LLP,
STEVE COHEN,
CHRISTOPHER K. LEUNG, and
ADAM POLLOCK,**

Electronically Filed

Defendants.

JURY TRIAL DEMANDED

RENEWED MOTION FOR PRELIMINARY INJUNCTION

Plaintiff, Dart Newnman, files this Renewed Motion for Preliminary Injunction, and in support states as follows.

1. On November 24, 2020, Plaintiff filed his Verified Complaint in the Fifth Judicial District of Pennsylvania Civil Division. (Exhibit A: Defendants' Notice of Removal Exhibit A)
2. On December 15, 2020, Defendants accepted service of the Verified Complaint. (Exhibit A)
3. On December 18, 2020, at 8:20am, Plaintiff filed a Motion for Preliminary-Injunction in the Fifth Judicial District and served Defendants with a copy of the Motion for Preliminary Injunction. The Motion for Preliminary Injunction is attached hereto and incorporated into and made part of this Motion as Exhibit B.
4. On December 18, 2020, the Honorable Judge McVay scheduled a Status Conference upon consideration of Plaintiff's Motion for Preliminary Injunction to be conducted on December 21, 2020. (Exhibit C)

5. Later on December 18, 2020, Defendants removed this action to the Western District of Pennsylvania pursuant to 28 U.S.C. § 1332 on the grounds of diversity. Defendants included a copy of Plaintiff's Motion for Preliminary Injunction in their Notice of Removal as Exhibit B. (Exhibit A)

6. On December 19, 2020, Defendants emailed Judge McVay a copy of the Notice of Removal. (Exhibit D)

7. Due to Defendants' removal of the action to this Court, Judge McVay did not hold a status conference on Plaintiff's Motion for Preliminary Injunction.

8. At this time, Plaintiff's Motion for Preliminary Injunction has not been decided by either the Fifth Judicial District or this Court.

9. Plaintiff asks this court to consider his Motion for Preliminary Injunction as fully incorporated.

WHEREFORE, Mr. Newman respectfully requests that this Court consider his Motion for Preliminary Injunction.

Respectfully submitted,

McELROY LAW FIRM, LLC

By /s/ Rachel L. McElroy

Rachel L. McElroy, Esq.

PA ID No. 321624

461 Cochran Rd. #107

Pittsburgh, PA 15228

Phone: 412-620-8735

Email: rachel@mcelroylawfirm.com

Attorney for Plaintiff,
Darth Newman

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of January, 2021, the foregoing Renewed Motion for Preliminary Injunction was served upon all counsel of record via CM/ECF.

/s/ Rachel L. McElroy
Rachel L. McElroy